

**DATE MAILED**  
**Sep 25, 2012**

PSC REF#:172957

Public Service Commission of Wisconsin  
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**PUBLIC SERVICE COMMISSION OF WISCONSIN**

**Application of Oak Creek Water and Sewer Utility, Milwaukee  
County, Wisconsin, for Authority to Increase Water Rates**

**4310-WR-104**

**ORDER REOPENING THE DOCKET**

This Order, pursuant to Wis. Stat. § 196.39(1), reopens this docket so that the Commission can review any and all issues addressed in the Final Decision mailed July 23, 2012. (PSC REF#: 168775.) The Commission's review of the Final Decision will be based upon the record identified in the Summary Memorandum. (PSC REF#: 168749.) The Commission declines the request made by the City of Franklin Water Utility that the Commission take official notice of facts identified in its Response and Counter-Petition filed on August 20, 2012. (PSC REF#: 170487.)

Unless and until the Commission issues a subsequent order amending, modifying or rescinding the Final Decision, the Final Decision shall remain in full force and effect.

Dated at Madison, Wisconsin, this 25<sup>th</sup> day of September, 2012

By the Commission:



Sandra J. Paske  
Secretary to the Commission

SJP:pc: DL:00598007 4310-WR-104 Order and Decision to Reopen.docx

See attached Notice of Rights

PUBLIC SERVICE COMMISSION OF WISCONSIN  
610 North Whitney Way  
P.O. Box 7854  
Madison, Wisconsin 53707-7854

**NOTICE OF RIGHTS FOR REHEARING OR JUDICIAL REVIEW, THE  
TIMES ALLOWED FOR EACH, AND THE IDENTIFICATION OF THE  
PARTY TO BE NAMED AS RESPONDENT**

The following notice is served on you as part of the Commission's written decision. This general notice is for the purpose of ensuring compliance with Wis. Stat. § 227.48(2), and does not constitute a conclusion or admission that any particular party or person is necessarily aggrieved or that any particular decision or order is final or judicially reviewable.

*PETITION FOR REHEARING*

If this decision is an order following a contested case proceeding as defined in Wis. Stat. § 227.01(3), a person aggrieved by the decision has a right to petition the Commission for rehearing within 20 days of mailing of this decision, as provided in Wis. Stat. § 227.49. The mailing date is shown on the first page. If there is no date on the first page, the date of mailing is shown immediately above the signature line. The petition for rehearing must be filed with the Public Service Commission of Wisconsin and served on the parties. An appeal of this decision may also be taken directly to circuit court through the filing of a petition for judicial review. It is not necessary to first petition for rehearing.

*PETITION FOR JUDICIAL REVIEW*

A person aggrieved by this decision has a right to petition for judicial review as provided in Wis. Stat. § 227.53. In a contested case, the petition must be filed in circuit court and served upon the Public Service Commission of Wisconsin within 30 days of mailing of this decision if there has been no petition for rehearing. If a timely petition for rehearing has been filed, the petition for judicial review must be filed within 30 days of mailing of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition of the petition for rehearing by operation of law pursuant to Wis. Stat. § 227.49(5), whichever is sooner. If an *untimely* petition for rehearing is filed, the 30-day period to petition for judicial review commences the date the Commission mailed its original decision.<sup>1</sup> The Public Service Commission of Wisconsin must be named as respondent in the petition for judicial review.

If this decision is an order denying rehearing, a person aggrieved who wishes to appeal must seek judicial review rather than rehearing. A second petition for rehearing is not permitted.

Revised: December 17, 2008

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<sup>1</sup> See *State v. Currier*, 2006 WI App 12, 288 Wis. 2d 693, 709 N.W.2d 520.